



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,256	09/22/2003	Atsushi Takehara	243039US3	9514
22850 7590 02/07/2008 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
			EXAMINER BRASE, SANDRA L	
			ART UNIT 2852	PAPER NUMBER
			NOTIFICATION DATE 02/07/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary

Application No.

10/666,256

Applicant(s)

TAKEHARA, ATSUSHI

Examiner

Sandra L. Brase

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7,8,10,19 and 20 is/are rejected.
- 7) ☒ Claim(s) 2,3,6,9,11-18 and 21 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/5/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :7/23/07; 5/24/06; 4/11/05; 9/3/04; 2/12/04 & 2/5/04.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because of the inclusion of legal phraseology.

Correction is required. See MPEP § 608.01(b).

On lines 3-4 of the abstract (lines 4-5 of page 33) the word "means" appears, where this could be changed to "device".

3. The disclosure is objected to because of the following informalities.

Appropriate correction is required.

On page 11, line 12, "39" should be changed to "1".

Claim Objections

4. Claims 7-21 are objected to because of the following informalities. Appropriate correction is required.

Claims 7 and 19 are entirely in the form of a preamble, and it is unclear as to which features are intended to be contained in the body of the claim and which features are intended to be part of the preamble, in other words, it is unclear as to which features applicant intends to claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 4, 5, 7, 8, 10, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (US 6,044,244) in view of Fujiwara et al. (US 5,469,248).

7. Watanabe et al. (...244) disclose an image forming apparatus for forming a toner image on a sheet-like recording medium, the image forming apparatus comprising: an image carrier (2); a charging means (3), exposing means (4) and developing means (5) arranged around the image carrier for respectively charging the image carrier, forming a latent image on the image carrier and developing the latent image with toner to thereby produce a toner image (figure 1); and image transferring means (6) for transferring the toner image formed on the image carrier to the recording medium (P); wherein the image transferring means comprises an image transfer belt (11) and a bias applying member for applying an image transfer bias to an image transfer nip formed between the bias applying member and the image carrier, which face each other with the intermediary of the image transfer belt (figures 1 and 6). The image transferring member has an

Art Unit: 2852

axis positioned downstream, in a direction of movement of the image transfer belt, of a virtual vertical line extending from an axis of an image carrier downward, and a belt holding member (16) positioned downstream of the bias applying member in the direction of movement of the image transfer belt to cause the image transfer body to wrap around the image carrier over a preselected range downstream of a center of an image transfer nip (figure 6). The bias applying member contacts the image transfer belt within a width over which the image transfer belt wraps around the image carrier, where the bias applying means comprises an image transfer roller (figure 6). The image transfer body is holding member is fixed in position (col. 6, lines 16-21; and figures 2A, 2B and 6). A width over which the image transfer body wraps around the image carrier at a position upstream of the image transfer nip in the direction of movement of the image transfer body is greater than when the bias applying member is positioned on the vertical line (figures 2A and 2B). However, Watanabe et al. (...244) do not disclose a plurality of image carriers including corresponding charging means, exposing means and developing means. Fujiwara et al. (...248) disclose an image forming apparatus including a plurality of image carriers (1a, 1b, 1c and 1d) each including a charging means (5a, 5b, 5c and 5d), an exposing means (7a, 7b, 7c and 7d) and a developing means (9a, 9b, 9c and 9d), which each form a different color toner image and where the images formed are sequentially transferred to a recording medium one above the other (figure1). It would have been obvious to one of ordinary skill in the art at the time of the invention to have a plurality of image carriers and corresponding imaging components, as disclosed by Fujiwara et al. (...248), so as to form color images.

Art Unit: 2852

Allowable Subject Matter

8. Claims 2, 3, 6, 9, 11-18 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Prior Art

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sato (US 2001/0055499) disclose an image forming apparatus including a plurality of image carriers and corresponding components, where a transfer device associated with each image carrier each has an axis which is located downstream, in a direction of movement of a transfer belt, of a virtual vertical line extending from an axis of the associated image carrier downward.

Matsuda et al. (US 6,173,148) disclose an image carrier with an associated transfer device which has an axis which is located downstream, in a direction of movement of a transfer belt, of a virtual vertical line extending from an axis of the image carrier downward, and a belt holding member positioned downstream of the transfer device.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra L. Brase whose telephone number is (571) 272-2131.

Art Unit: 2852

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray, can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sandra L. Brase/
Primary Examiner, Art Unit 2852
February 1, 2008